



Docket No.: 50059-052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

2834
#8 Election
D. EVANS
6.5.02

In re Application of

Toshimi FUKUI

Serial No.: 09/714,820

Group Art Unit: 2834

Filed: November 17, 2000

Examiner: T.M. Dougherty

For: PIEZOELECTRIC ELEMENT, PROCESS FOR PRODUCING THE PIEZOELECTRIC
ELEMENT, AND HEAD FOR INK-JET PRINTER USING THE PIEZOELECTRIC
ELEMENT

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

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Sir:

In response to the office action, issued on April 25, 2002, requiring restriction to one of among three purported groups of examinable inventions, the applicant elects claims 1-9 (Group I) for examination. This election is made with traverse.

The Examiner submits that the inventions of Groups I and III are related as combination and subcombination, whereas the inventions of Groups II and III are related as process and apparatus.

As regards the inventions of Groups I and III, it is noted that examination of the subject matter of claim 13, having a piezoelectric actuator, would be covered without additional searching on the part of the Examiner. That is, printers having piezoelectric element actuators would be classified in, or cross-referenced into, class 310.

As regards the inventions of Groups II and III, the Examiner's position that "the process can be practiced by another materially different apparatus such as a sensor component structure, a piezoelectric motor component such as a stator, etc." is not understood. Perhaps the Examiner meant to compare the inventions of Groups II and III. If so, it is submitted that the claimed piezoelectric element (Group I) and process (Group II) are so closely related that a search of the claims of one group would necessarily encompass the claims of the other: both claims involve the same fundamental components.

The Examiner is requested to consider these arguments independently.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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